

SOMACH SIMMONS & DUNN
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Attorneys for Defendant and Cross-Claimant
MOYER PRODUCTS, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MAXIM I PROPERTIES, a general
partnership,

Plaintiff,

v.

A.M. BUD KROHN, et al.,

Defendants.

CASE NO. 4:12-CV-00449 DMR

AMENDED JOINT STATUS REPORT

Judge: Honorable Donna M. Ryu

Action Filed: January 27, 2012

AND RELATED CROSS-ACTIONS.

The parties submit the following Amended Joint Status Report pursuant to this Court's
Order staying this action, dated February 21, 2013, as modified on January 20, 2021:

REMEDIATION PLAN APPROVAL

The California Department of Toxic Substances Control (DTSC) has continued to request
revisions to the Corrective Measures Study (CMS) report from Roux Associates (Roux). Roux
will respond to DTSC's latest revision request on September 23, 2022. Roux reports that it now
anticipates that DTSC will release the CMS for public comment within the next two to three
months.

**MOTION FOR ORDER APPROVING SETTLEMENT AND DETERMINING
GOOD FAITH SETTLEMENT**

Plaintiff Maxim I Properties and Defendant and Cross-Complainant Moyer Products, Inc. jointly moved this Court for an order approving their settlement agreement and a determination that it was entered into in good faith. That motion was fully briefed, argued, and submitted by all parties to this Court for a decision on May 12, 2022. The motion remains under submission.

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DATED: September 22, 2022 By: /s/ Francis M. Goldsberry
FRANCIS M. GOLDSBERRY II
Attorneys for MOYER PRODUCTS, INC.

NIXON PEABODY LLP

DATED: September 21, 2022 By: /s/ Gregory P. O'Hara
GREGORY P. O'HARA
ALISON B. TORBITT

Attorneys for MAXIM I PROPERTIES

BERKES CRANE ROBINSON & SEAL LLP

DATED: September 22, 2022 By: /s/ Laurie S. Julien
LAURIE S. JULIEN

Attorneys for CENTRAL COATING CO. INC.

BURNHAM BROWN

DATED: By: _____
CHARLES ALFONZO

Attorneys for A.M. BUD KROHN NATIONAL
AUTO RECOVERY BUREAU, INC.

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GENERAL ORDER 45 CERTIFICATION

I, Francis M. Goldsberry II, hereby attest, pursuant to N.D. Cal. General Order No. 45,
that the concurrence to the filing of this document has been obtained from each signatory hereto.

DATED: September 22, 2022

SOMACH SIMMONS & DUNN
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By: /s/ Francis M. Goldsberry II
Francis M. Goldsberry II
Attorneys for MOYER PRODUCTS, INC.

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CERTIFICATE OF SERVICE*Maxim I Properties v. Krohn, et al.*

United States District Court – Northern District of California

Case No. 4:12-cv-00449-DMR

I am a citizen of the United States and am employed in the County of Sacramento, State of California. I am over the age of eighteen (18) and not a party to the within action. My business address is 500 Capitol Mall, Suite 1000, Sacramento, California 95814. I am familiar with the business practices of the law firm of Somach Simmons & Dunn for collecting and processing mail and know that the mail in said offices is collected and processed on the same date as indicated below. I declare that I am employed in the offices of a member of the bar of this court at whose direction the service was made.

I hereby certify that on September 22, 2022, I electronically transmitted the foregoing **AMENDED JOINT STATUS REPORT** to the Clerk of the Court using the CM/ECF System for filing, which will generate and transmit a notice of electric filing to the following CM/ECF registrants:

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9 I declare under penalty of perjury under the laws of the State of California that the
10 foregoing is true and correct.

11 Executed on September 22, 2022 at Sacramento, California.

12 /s/ Jennifer Estabrook

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